

**AURORA BUILDING BOARD OF APPEALS  
MINUTES**

**REGULAR SESSION  
AURORA CITY HALL, COUNCIL CHAMBERS  
Tuesday, March 21, 2017 at 6:30 PM**

- I. Call to order:** Chairman Ellis called the meeting to order at 6:37 p.m.
- |            |                |                              |
|------------|----------------|------------------------------|
| Roll Call: | Chairman:      | Craig Ellis (May 2017)       |
|            | Vice Chairman: | Jeff Heller (May 2017)       |
|            | Board Member:  | Richard Werner (May 2017)    |
|            | Board Member:  | David White (May 2017)       |
|            | Board Member:  | Brandon Brashears (May 2019) |
|            | Secretary:     | Carrie Howlett               |

All members were noted present except Brandon Brashears who was absent.

**II. Approval of Minutes**

- A. Approval of Minutes from Regular Session August 25, 2016.  
Due to lack of appropriate quorum to approve minutes from meeting held August 25, 2016, Chairman Ellis requested that said minutes be archived as they stand.

**III. Old Business**

Old Business moved to end of meeting.

**IV. New Business**

Public Hearing: Called to order by Building Board of Appeals to consider demolition of the following properties for dangerous and unsafe structure:

- A. Discussion / 102 McNatt Avenue Aurora, MO 65605  
Owner: Jonathan A Hunt

Chairman Ellis moved to open the public hearing time noted 6:39 p.m. Board member David White seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Building Inspector Trent White addressed the board with a brief description of the property located at 102 McNatt Avenue. Inspector White advised that the property

owner has been in contact with him and has made some changes to the property since receiving the letter. The property owner intends to do additional repairs to the building and has asked for an extension till May to complete said repairs.

Amy Hunt, wife of property owner, addressed the board stating they have owned the building for about 15 years and own others in town. Mrs. Hunt advised that they do not want to put glass windows in the front of the building due to problems with vandalism and theft. They support beautification of the city and will do whatever is needed to their building. Mrs. Hunt further advised that there is only one wall between her building and the one next to it to the North. If the building next to it is torn down hers won't have a wall. Their building has a new metal roof.

Board member Heller questioned what would happen to the structure at 104 McNatt if the structure at 102 McNatt was demolished. City Manager Randall advised that an engineer would have to come in and look at them to make that determination. Board member Heller stated that if the building at 104 McNatt were to be torn down it might change Mrs. Hunt's intentions. Mrs. Hunt confirmed that it could.

Board member Werner stated that the wall is most likely a mortar wall. Maintaining stability of one building while another is demolished will depend on how the buildings are tied into the wall, roof diaframs, etc. Mr. Werner further advised if 102 McNatt is connected to masonry wall it may be fine. Mrs. Hunt stated that her concern is if the city demolishes the structure at 104 McNatt her building could come down too. Board member Werner advised that the engineer will tell how the building is anchored to the wall. Remedial action to maintain the structure at 102 McNatt may be required.

Chairman Ellis stated that a Building Permit for the property needs to be issued so the City Building Inspector and engineer can get into the property to determine wall placement etc.

Board member Heller moved to close the public hearing time noted 7:00 p.m. Chairman Ellis seconded the motion. Motion passed with the following board members voting aye:  
AYES: Ellis, Heller, Werner, White  
NAYES: 0

Chairman Ellis stated the Finding of Fact for this property includes the condition of the property prior to the recent work and the demising wall.

#### **MOTION**

Board member David White made the motion to uphold the Building Official's decision to condemn the building and move forward with the demolition subject to the property owner pulling a building permit within 30 days and making at least 50 percent substantial progress as judged by the Building Official within the 6 month permit period and allowing the City Building Inspector as well as the engineer in the structure to

inspect. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

B. Discussion / 104 McNatt Avenue Aurora, MO 65605

Owner: Rebecca M Pennington

Chairman Ellis moved to open the public hearing time noted 7:12 p.m. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Building Inspector White addressed the board with a brief description of the property located at 104 McNatt Avenue. Mr. White advised that the owner is not present at this meeting but she came into his office last week and knows the structure is in bad shape. The property owner is willing to donate the property to the city. Inspector White further advised that the floor structure is joists which are rotting out and the roof is deteriorated. Staff recommendation is to demolish.

Board member Heller moved to close the public hearing time noted 7:15 p.m. Board member Werner seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Chairman Ellis advised the board to deliberate and state Finding of Fact for this property. Board member Werner stated the building's structural integrity is compromised due to disrepair. Board member David White stated the structure is a hazard.

#### **MOTION**

Board member Heller made the motion to uphold the Building Official's decision to condemn the building and move forward with demolition. Board member David White seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

C. Discussion / 126 E St Louis Street Aurora, MO 65605

Owner: Joel & Gloria Granados

Chairman Ellis moved to open the public hearing time noted 7:17 p.m. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Building Inspector Trent White addressed the board with a brief description of the property located at 126 E St Louis Street. Inspector White stated that this structure has been on his list since the start of his employment with the city four years ago. He further advised lack of maintenance on the structure is very obvious. There is rotting on the front porch. Siding boards are falling off and there is rotting on the rock foundation. The structure is not occupied.

Property Owners, Joel & Gloria Granados were present at the meeting to speak about the property. Mrs. Granados stated that she bought the property ten years ago with intentions of fixing it up. The city inspector at the time advised her that all plumbing and electrical would have to be updated. Mrs. Granados stated they do not have the financial ability to either repair or demolish the structure.

Board member David White moved to close the public hearing time noted 7:29 p.m. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Chairman Ellis stated Finding of Facts that the structure is unlivable, siding is broken and missing, the structure needs wiring and plumbing and the owners don't have the financial means to repair or demolish.

#### **MOTION**

Board member Heller made the motion to uphold the Building Official's decision that the building should be condemned and demolished. Board member David White seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

- D. Discussion / 220 W Delta Street Aurora, MO 65605  
Owner: Matthew Winfrey

Board member Heller moved to open the public hearing time noted 7:32 p.m. Board member David White seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Building Inspector White addressed the board giving a brief description of the property located at 220 W Delta Street. Inspector White stated this his understanding is that the owner lives in California and has had no direct correspondence with the city. Inspector White further advised that he had a meeting with the sister to the property owner at the property in October. The sister advised that they know the house needs to either be repaired or demolished and that she and her brother had been in conversation about that. They were to make a decision and update Inspector White. There has been no further correspondence since that meeting and the city has liens against the property due to having to mow it. There are holes in the roof allowing weather to come freely into the structure. The structure is unsecure and staff recommends demolition.

No representation for public comment.

Board member Heller moved to close the public hearing time noted 7:37 p.m. Board member Werner seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Chairman Ellis stated Finding of Facts that the structure is in a deteriorated condition with roof and siding issues. Board member Werner added that the structure is unsecure and open to vandalism.

#### **MOTION**

Board member David White made the motion to uphold the Building Official's decision to condemn the building and move forward with demolition. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

- E. Discussion / 227 McNatt Avenue Aurora, MO 65605  
Owner: Nicolas Castillo &/or Bernarda Salas

Board member David White moved to open the public hearing time noted 7:38 p.m. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White  
NAYES: 0

Building Inspector Trent White addressed the board with a brief description of the property located at 227 McNatt Avenue. Inspector White stated that when he started employment with the city four years ago he met with the property owner who was doing work on the structure at that time. The property owner advised he did not want to get a building permit and no further contact was made. Certified letters regarding condition of the structure were signed for with no contact from property owner. Staff recommendation is to demolish.

No representation present for public comment.

Board member Heller moved to close the public hearing time noted 7:43 p.m. Board member David White seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White  
NAYES: 0

Chairman Ellis stated Finding of Facts for this property include that the structure has been allowed to deteriorate and the roof is completely gone.

**MOTION**

Board member Heller made the motion to uphold the Building Official's decision to condemn the building and move forward with demolition. Board member Werner seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White  
NAYES: 0

F. Discussion / 228 W Olive Street Aurora, MO 65605  
Owner: Jaimie & Dora Canales

Board member David White moved to open the public hearing time noted 7:46 p.m. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White  
NAYES: 0

Building Inspector Trent White addressed the board with a brief description of the property located at 228 W Olive Street. Inspector White stated there has been some tree work done at the property but no work to the structure. The roof on the garage is

falling in and shingles are lifting on the house as well. There has been no contact from the property owner who has signed for certified letters regarding condition of the structures. Staff recommendation is to demolish.

No representation present for public comment.

Board member David White moved to close the public hearing time noted 7:49 p.m. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Chairman Ellis stated Finding of Facts including the deteriorated condition of the structure which is continually getting worse.

#### **MOTION**

Board member David White made the motion to uphold the Building Official's decision to condemn the building and move forward with demolition. Board member Werner seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

G. Discussion / 428 N Elliott Avenue Aurora, MO 65605

Owner: Heather Rose Morris

Board member David White moved to open the public hearing time noted 7:51 p.m. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Building Inspector Trent White addressed the board with a brief description of the property located at 428 N Elliott Avenue. Inspector White stated there was a structure fire at this property. The property owner contacted him advising they were waiting for the insurance company to make a decision on payment. Property owner again made contact stating that the insurance company is not going to pay out to repair fire damages. Owner advised will make decision whether to repair or demolish and update the inspector's office. No further contact to date. Staff recommendation is to allow thirty days to pull building permit followed by order to demolish being activated if no permit is pulled.

Board member David White moved to close the public hearing time noted 7:54 p.m. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Chairman Ellis stated Findings of Fact for this property include extensive damage to the structure leaving it unlivable.

#### **MOTION**

Board member Heller made the motion to uphold the Building Official's decision to condemn the building and move forward with the demolition subject to the property owner pulling a permit within 30 days and making at least 50 percent substantial progress as judged by the Building Official within the 6 month permit period. Board member David White seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

- H. Discussion / 718 S Madison Avenue Aurora, MO 65605  
Owner: Kenneth J Pedigo

Board member David White moved to open the public hearing time noted 7:58 p.m. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Building Inspector Trent White addressed the board with a brief description of the property. Inspector White stated that upon his first contact with the property owner the structure was unsecure. Upon opening the door to the structure the absence of floors was visible. Some time after said inspection someone started repairs on the structure. The property owner contacted Inspector White after receiving a letter regarding the structure and stated that he was owner financing the property to another individual who would be contacting Inspector White for a building permit. No further contact has been received regarding this property. Staff recommendation is to demolish.

Matthew Wade addressed the board identifying himself as the new owner of the property. Mr. Wade stated he gained ownership about a year ago via owner finance and the property is in the same condition now as when he bought it. Mr. Wade further stated that the floors have been replaced, weight bearing walls have been removed and



replaced and the roof has been fixed. Inspector White advised that no permit for repairs was applied for therefore no inspections were done on the repairs thus far.

Board member David White moved to close the public hearing time noted 8:08 p.m. Board member Heller seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

NAYES: 0

Board member David White stated that a building permit should have been pulled and if the property owner were allowed to continue repairs an inspection would first need to be done by Inspector White to verify all previous repairs were done properly. This would need to take place before additional repairs are made.

**MOTION**

Board member Heller made the motion to uphold the Building Official's decision to condemn the building and move forward with the demolition subject to the property owner pulling a permit within 30 days and making at least 50 percent substantial progress as judged by the Building Official within the 6 month permit period. Board member David White seconded the motion. Motion passed with the following board members voting aye:

AYES: Ellis, Heller, Werner, White

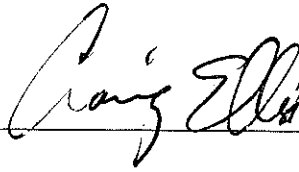
NAYES: 0

Building Inspector White addressed the board bringing Old Business back up for discussion while giving a brief report on the structures that were given the opportunity to purchase building permits at the last meeting held August 25, 2016. Inspector White advised that 108 Jasper Street is making substantial progress. 1102 S Rinker Avenue has replaced the roof but no other inspections requests have been made. Half of the roof has been replaced on 107 W Tyndall Street with the non-replaced side of the roof still having major issues and no other visible efforts made on the house. The structure at 127 W College has shown no progress on repairs but some activity has been observed. Inspector White further advised that several of the permits issued to structures as a result of that meeting are approaching their expiration dates. Letters have been sent to the property owners advising of the upcoming expirations.

**VII. Adjournment**

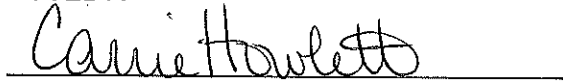
Board member Heller moved to adjourn the meeting time noted 8:25 p.m. Board member David White seconded the motion. Motion passed with all members voting aye.

APPROVED:



Craig Ellis, Chairman

ATTEST:



Carrie Howlett, Secretary